# BACTERIA PROVISIONS &VARIANCE POLICY

Part 3 of the
Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California

Amendment to the
Water Quality Control Plan for Ocean Waters of California

TMDL Roundtable Presentation
October 18, 2018

# Components of the Provisions

- Beneficial use definition for Limited Water Contact Recreation (LREC-1)
- Bacteria water quality objectives for fresh and saline waters
- Bacteria implementation approaches
- Water Quality Standards Variance Policy

# Limited Water Contact Recreation (LREC-1) Beneficial Use Definition

*"Uses of water that support limited recreational activities involving body contact with water, where activities are predominantly* ***limited by physical conditions*** *and, as a result,* ***body contact with water and ingestion of water is infrequent or insignificant.****"*

- Only applicable to ISWEBE waters
- No proposed designations

# Bacteria Objective Background

- U.S. EPA 2012 recommended criteria for recreation (REC-1)
- Basin Plans and Ocean Plan inconsistent
- Proposed Bacteria Provisions:
  - Based on U.S. EPA's 2012 recommendations
  - Utilize best available science
  - Consistent objectives and implementation approaches

# Bacteria Water Quality Objectives: Inland Surface Waters, Enclosed Bays, and Estuaries (ISWEBE)

| Applicable Waters | Objective Elements | Estimated Illness Rate (NGI): 32/1,000 | |
|---|---|---|---|
| | | Magnitude | |
| | Indicator | 6-week GM | STV |
| All waters where the salinity is equal to or less than 1 ppth 95 percent or more of the time | *E. coli* | 100cfu/100mL | 320cfu/100mL |
| All waters where the salinity is greater than 1 ppth more than 5 percent of the time | Enterococci | 30cfu/100mL | 110cfu/100mL |

- Geometric Mean (GM)
  - Calculated every six-weeks
  - Rolling
- Statistical Threshold Value (STV)
  - Calculated every calendar month
  - Static
  - Shall not be exceeded by more than 10 percent of samples collected
- Colony Forming Units (CFU)
- National Epidemiological and Environmental Assessment of Recreational Water Gastrointestinal Illness (NGI) Illness Rate
  - 32 illnesses per 1,000 Recreators

# Bacteria Water Quality Objectives: Ocean Plan

**Enterococci**

| Indicator | Estimated Illness Rate (NGI): 32/1,000 Magnitude | |
|---|---|---|
| | 6-week GM | STV |
| Enterococci | 30cfu/100mL | 110cfu/100mL |

Geometric Mean (GM)
- Calculated every six-weeks
- Rolling

Statistical Threshold Value (STV)
- Calculated every calendar month
- Static
- Shall not be exceeded by more than 10 percent of samples collected

NGI: 32 illnesses per 1,000 Recreators

**Fecal Coliform**

| Indicator | Magnitude | |
|---|---|---|
| | 30-day GM | SSM |
| Fecal Coliform | 200/100mL | 400/100mL |

Geometric Mean
- Calculated every 30-days

Single Sample Maximum
- The maximum value not to be exceeded in any single sample

# REC-1 Bacteria Objectives

- Supersedes numeric REC-1 basin plan bacteria objectives
- Do not supersede narrative and site-specific objectives
- Existing TMDLs for bacteria remain in effect

# Implementation Approaches

- ISWEBE and Ocean Plan
  - Reference system/antidegradation
  - Natural source exclusion
- ISWEBE Plan:
  - Temporary high-flow suspension of REC-1
  - Seasonal suspension of REC-1
  - Provisions for designation of Limited Water Contact Recreation (LREC-1)
- Not requirements: implemented through basin planning actions

# Water Quality Standards Variance Policy

- A variance is a temporary change in a standard (typically an objective) for a specific pollutant, allowing deviation from meeting a water quality-based effluent limit (WQBEL) for a particular discharger.
- The Provisions identify the U.S. EPA's 2015 federal variance rule
- Does not add to or limit
- Explains existing state law

# Timeline

- **2014 - 2017:** Focus group meetings and scoping
- **July 2017:** Staff Workshop
- **August 2017:** State Water Board public hearing
- **January 2018:** Draft documents distributed
- **July 2018:** Revised draft documents distributed
- **August 7, 2018:** Board adoption
- Pending: Administrative Record compilation